

**To:** Otto, Martha[Otto.Martha@epa.gov]; Shaw, Betsy[Shaw.Betsy@epa.gov]; Reeder, John[Reeder.John@epa.gov]; Rodan, Bruce[rodan.bruce@epa.gov]; Teichman, Kevin[Teichman.Kevin@epa.gov]  
**Cc:** Grifo, Francesca[Grifo.Francesca@epa.gov]  
**From:** Siciliano, CarolAnn  
**Sent:** Thur 7/13/2017 9:42:56 PM  
**Subject:** RE: Allegation #124 -- last opportunity to comment on Letter and Report -- CAS thought Allegation #124 Review Panel Report 13July2017.docx

It's good to read these again. I have one thought and two proposed edits to the **Report**. I have no comments on the letter.

In the Report, we say that we refer an allegation to a panel "if there is a reasonable basis to believe that the allegations may have merit." In our case, Francesca convened the panel, I think, because the allegation was directed against the Administrator, and she wanted to be absolutely sure in her decision-making. Makes sense to me. HOWEVER, the language quoted above could be taken out of context and lead readers to believe that Francesca actually thought the allegation had a reasonable basis. That would be an incorrect inference. **Ex. 5 - Deliberative Process**

### **Ex. 5 - Deliberative Process**

Therefore, I propose that we insert language as follows. Feel free to edit.

"If there is a reasonable basis to believe that the allegation may have merit, a Scientific Integrity Review Panel, comprised of the relevant Deputy Scientific Integrity Official (DSIO) and two or more impartial DSIOs, provides a review of the science and other relevant information and reaches a majority consensus. Even if the Scientific Integrity Official believes that an allegation is unlikely to have merit, she may nevertheless refer the allegation to a Scientific Integrity Review Panel in the exercise of her discretion."

I also propose inserting conforming language in the Background timeline:

~~"To assist in the review of this allegation~~ On April 24, 2017, in the exercise of her discretion, the ScIO convened a Scientific Integrity Review Panel (SIRP)."

I do not think we need to make a conforming edit to the letter, because the letter simply recites

what Francesca did – without describing customary practice as a predicate. If folks would like to include language like “in the exercise of her discretion,” I have no objection. But I do have a slight preference against including such language in the letter because it comes out of nowhere and may anticipate an issue that, on the face of the letter, doesn’t actually exist.

I’m available all day tomorrow and Monday if anyone wants to chat about my proposal.

Carol Ann Siciliano

Associate General Counsel

Cross-Cutting Issues Law Office

Office of General Counsel

U.S. Environmental Protection Agency

(202) 564-5489

siciliano.carolann@epa.gov

**From:** Otto, Martha

**Sent:** Thursday, July 13, 2017 4:12 PM

**To:** Shaw, Betsy <Shaw.Betsy@epa.gov>; Reeder, John <Reeder.John@epa.gov>; Rodan, Bruce <rodan.bruce@epa.gov>; Siciliano, CarolAnn <Siciliano.CarolAnn@epa.gov>; Teichman, Kevin <Teichman.Kevin@epa.gov>

**Cc:** Grifo, Francesca <Grifo.Francesca@epa.gov>

**Subject:** FW: Allegation #124 -- last opportunity to comment on Letter and Report

**Importance:** High

Dear All,

If possible, please provide any final comments on these two documents by **COB Monday, July 17**.

Thank you, again, for your help and for participating in the Panel.

Marti

**From:** Otto, Martha

**Sent:** Thursday, July 13, 2017 10:30 AM

**To:** Shaw, Betsy <[Shaw.Betsy@epa.gov](mailto:Shaw.Betsy@epa.gov)>; Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)>; Rodan, Bruce <[rodan.bruce@epa.gov](mailto:rodan.bruce@epa.gov)>; Siciliano, CarolAnn <[Siciliano.CarolAnn@epa.gov](mailto:Siciliano.CarolAnn@epa.gov)>; Teichman, Kevin <[Teichman.Kevin@epa.gov](mailto:Teichman.Kevin@epa.gov)>

**Cc:** Grifo, Francesca <[Grifo.Francesca@epa.gov](mailto:Grifo.Francesca@epa.gov)>

**Subject:** Allegation #124 -- last opportunity to comment on Letter and Report

**Importance:** High

Dear All,

Thank you, again, for participating in the Scientific Integrity Panel on Sierra Club allegations regarding Administrator Pruitt's remarks about climate change and whether they violated the Scientific Integrity Policy.

Attached are the last drafts of the Scientific Integrity Review Panel's report and the Agency's response to Sierra Club. This is your last chance to suggest any changes. We are about to send these to Bob Kavlock.

Thank you for your help with this.

Martha Otto

Scientific Integrity Program  
Office of the Science Advisor  
mail code 8105R  
tel: 202.564.2782

otto.martha@epa.gov